



Public Notice

U.S. Army Corps of Engineers, Norfolk District

July 7, 2005

CENAO-TS-G
05-V1336-04

FEDERAL PUBLIC NOTICE

The District Engineer and the Virginia Department of Environmental Quality have received a joint application for Federal and State permits as described below:

APPLICANT

Paramont Coal Company Virginia, LLC
P. O. Box 1578
Coeburn, VA 24230

WATERWAY AND LOCATION OF THE PROPOSED WORK: The project is located in Doe Branch and four of its unnamed tributaries in the headwaters of Russell Prater Creek at the Doe Branch Surface Mine, off State Route 608 near Haysi, Virginia.

PROPOSED WORK AND PURPOSE: The applicant proposes to discharge fill material into approximately 4,418 linear feet of stream and 0.5 acres of isolated wetlands for the construction of two hollow fills to accommodate mine spoil. In addition, the construction of two temporary sediment basins will impact approximately 1,122 linear feet of stream. This operation will mine thru approximately 410 linear feet of stream. To mitigate for this work the applicant proposes to reconstruct stream channels after the area has been mined, backfilled and the sediment ponds removed. In addition, new stream channels will be constructed on top of the hollow fills and enhancement of Doe Branch downstream of sediment pond SB-1 is proposed. Sediment pond SB-3 is to be converted to a wetland during final reclamation to compensate for the wetland impacts.

In addition to the required Department of the Army permit, the applicant must obtain a Virginia Water Protection Permit from the Virginia Department of Environmental Quality (DEQ) assuring that applicable laws and regulations pertaining to water quality are not violated. Project drawings are attached.

AUTHORITY: Permits are required pursuant to Sections 401 and 404 of the Clean Water Act (Public Law 95-217) and Title 62.1 of the Code of Virginia.

FEDERAL EVALUATION OF APPLICATION: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. The decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected from the proposal must be balanced against its reasonably foreseeable detriments. All of the proposal's relevant factors will be considered, including conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production,

mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The Environmental Protection Agency's "Guidelines for Specification of Disposal Sites for Dredged or Fill Material" will also be applied (Section 404(b)(1) of the Clean Water Act).

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Anyone may request a public hearing to consider this permit application by writing to the District Engineer within 30 days of the date of this notice, stating specific reasons for holding the public hearing. The District Engineer will then decide if a hearing should be held.

Preliminary review indicates that: (1) no environmental impact statement will be required; (2) no species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and (3) no known properties eligible for inclusion or included in the National Register of Historic Places are in or near the permit area, or would likely be affected by the proposal. Additional information might change any of these findings.

COMMENT PERIOD: Comments on this project should be made in writing, addressed to the Norfolk District, Corps of Engineers, Clinch Valley Regulatory Office, Post Office Box 338, Abingdon, Virginia 24212, and should be received by the close of business on **August 4, 2005**.

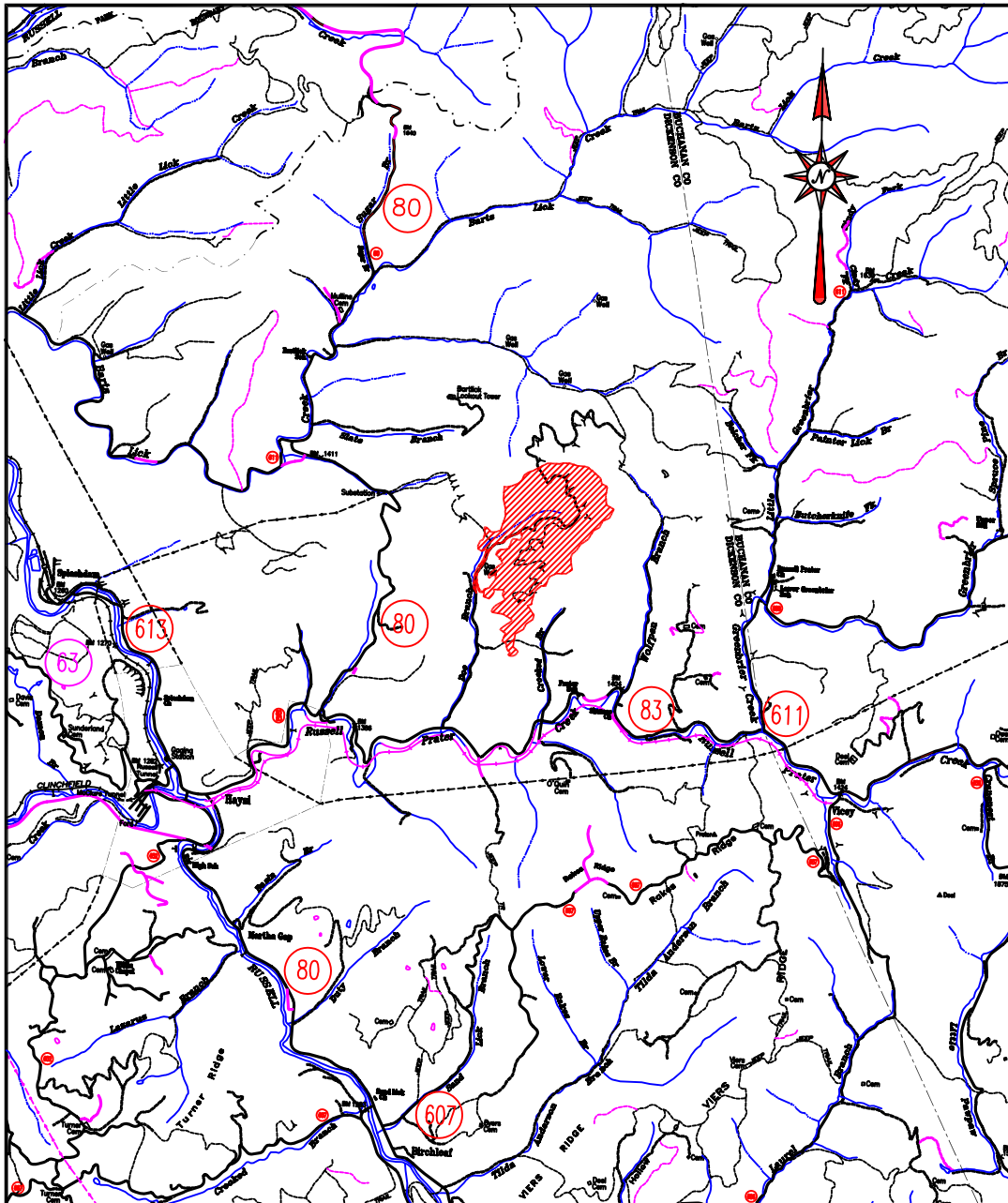
If you have any questions about this project or the permit process, please call:

Annette Poore 276-623-5259

FOR THE DISTRICT ENGINEER:

Michael A. Schwinn
Chief, Western Virginia
Regulatory Section

Attachment:
1 General Location Map
12 Drawings



DMME PERMIT BOUNDARY

SCALE 1" = 1 MILE

DRAWN BY: GBS

DATE: APRIL 5, 2005

REVISED:

PLOTTED: JUNE 20, 2005

PARAMONT COAL COMPANY VIRGINIA, LLC GENERAL LOCATION MAP DOE BRANCH



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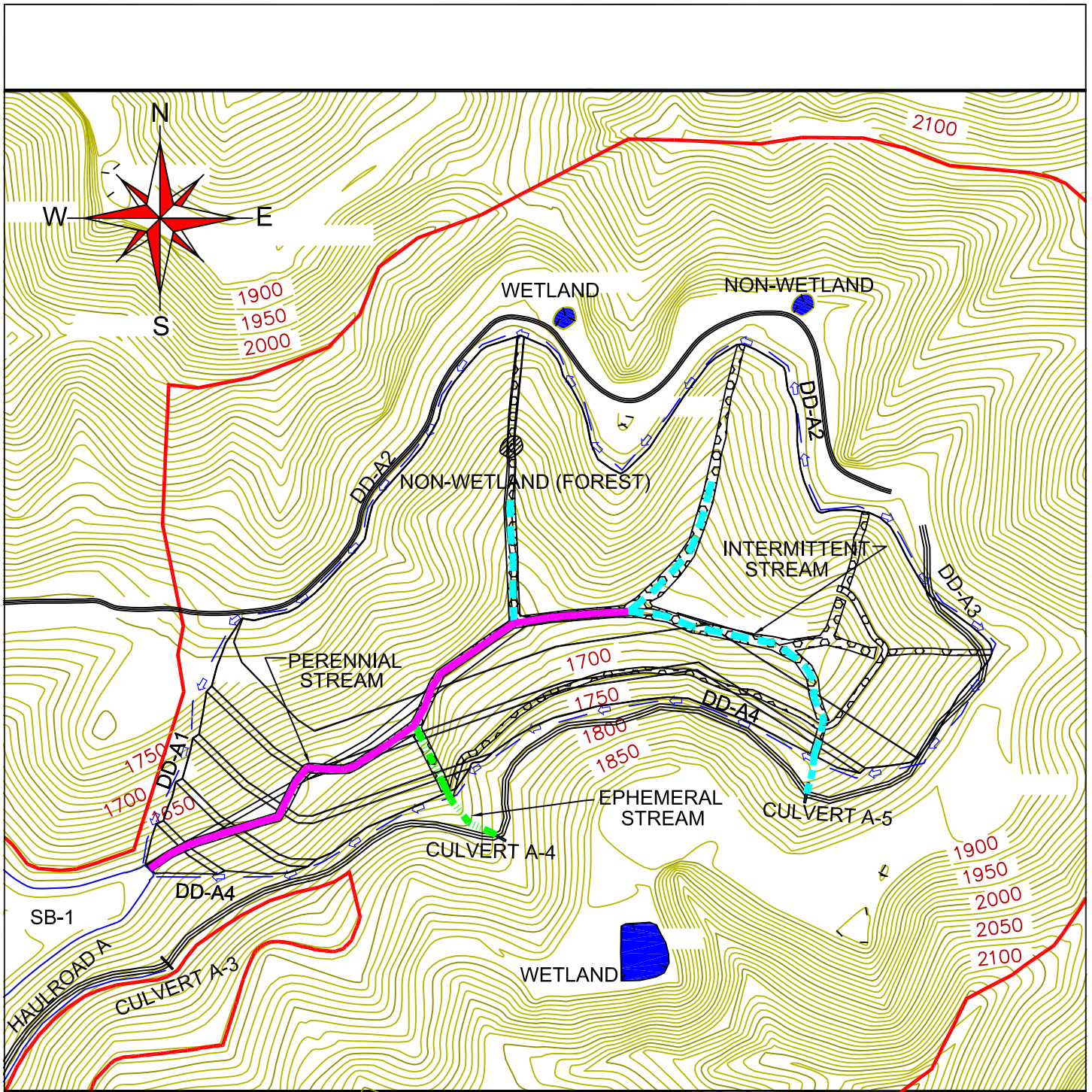
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(276) 936-4191

SCALE 1" = 1 MILE

PROJ 04-100

MAP NO:

B-7A



- PERMIT AREA —
- JURISDICTIONAL LIMITS (PERENNIAL) —
- JURISDICTIONAL LIMITS (INTERMITTENT) - - -
- JURISDICTIONAL LIMITS (EPHEMERAL) - - -

**PARAMONT COAL COMPANY
VIRGINIA, LLC**

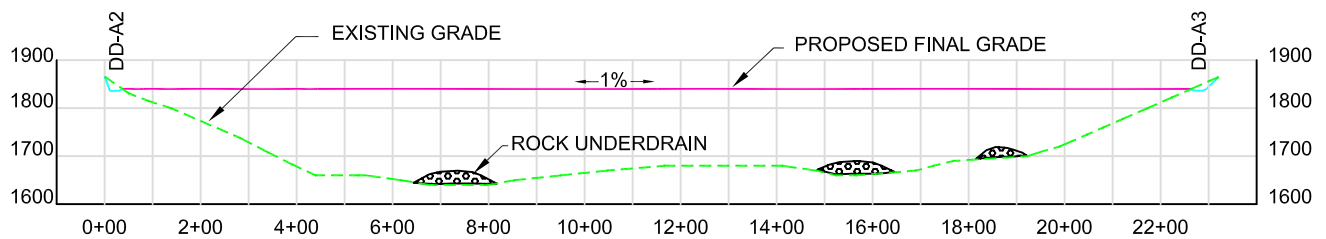
DURABLE ROCK FILL 1 SITE PLAN



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SCALE 1" = 400'
PROJ 04-100
MAP NO: 1
DICKENSON COUNTY
PLOT DATE: APRIL 7, 2005



PARAMONT COAL COMPANY
VIRGINIA, LLC

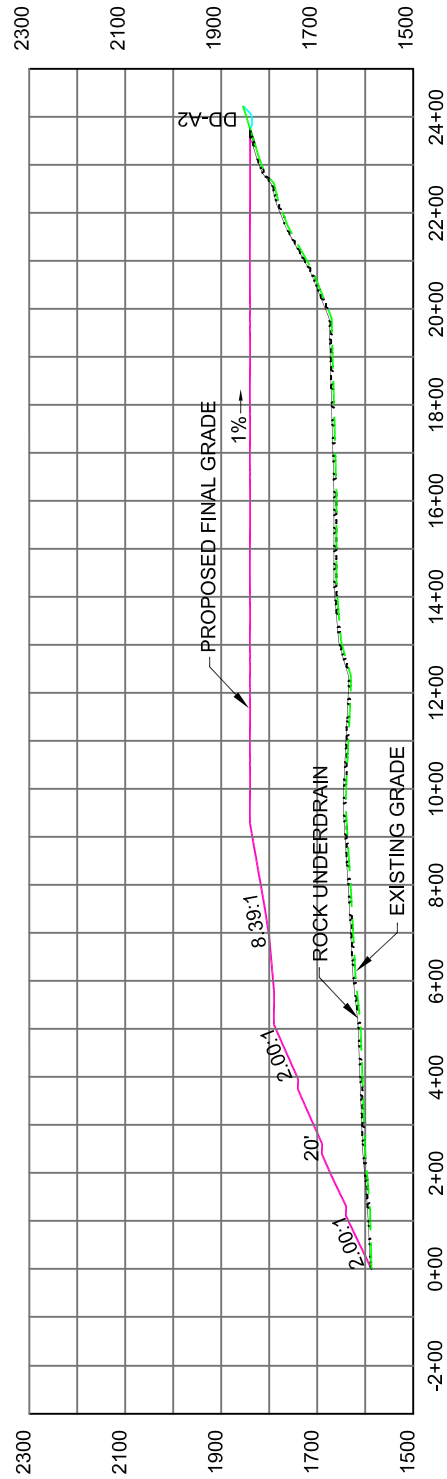
DURABLE ROCK FILL 1
CROSS-SECTION



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SCALE 1" = 400'
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MAP NO: 3
DICKENSON COUNTY
PLOT DATE: APRIL 7, 2005



PARAMONT COAL COMPANY
VIRGINIA, LLC

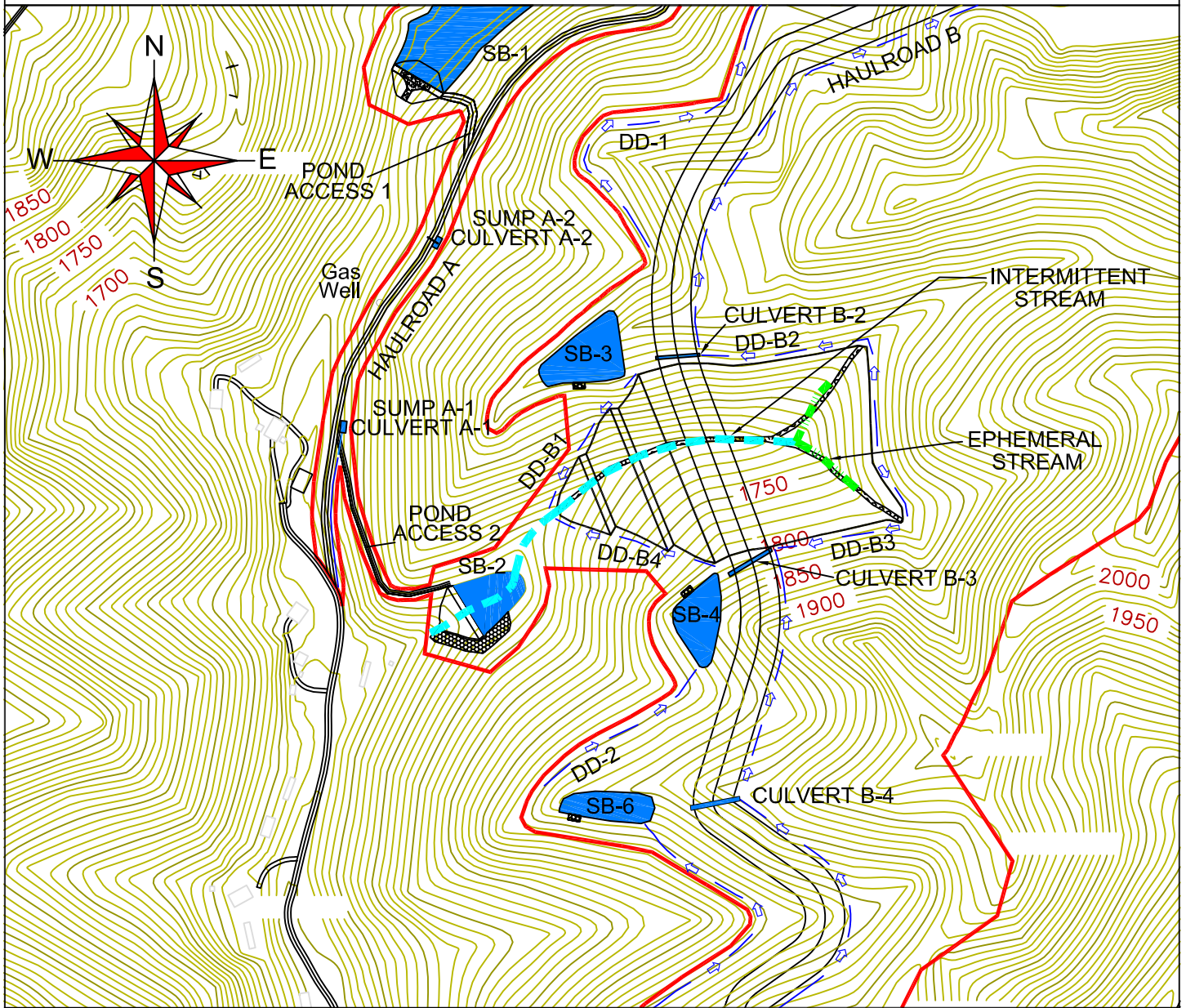
DURABLE ROCK FILL 1 PROFILE



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SCALE 1" = 400'
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DICKENSON COUNTY
PLOT DATE: APRIL 7, 2005



PERMIT AREA



JURISDICTIONAL LIMITS
(INTERMITTENT)



JURISDICTIONAL LIMITS
(EPHEMERAL)



PARAMONT COAL COMPANY
VIRGINIA, LLC

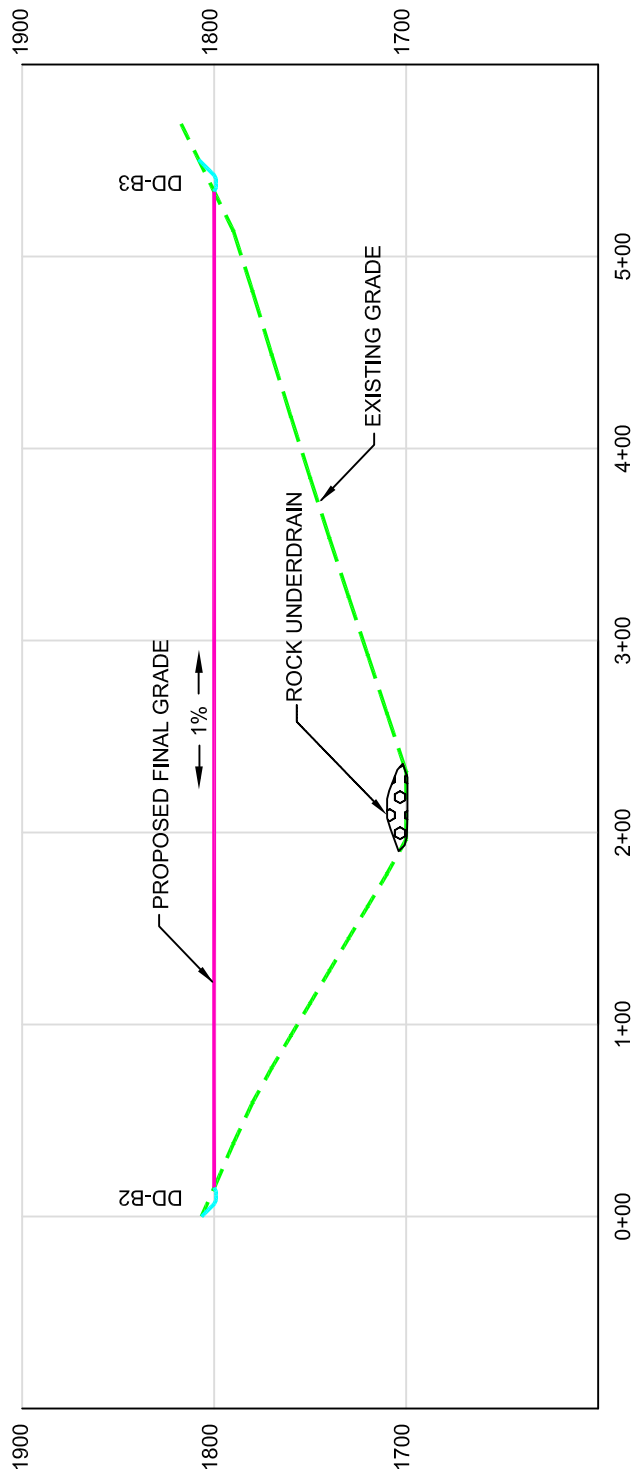
DURABLE ROCK FILL 2
SITE PLAN



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SCALE 1" = 400'
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PLOT DATE: APRIL 7, 2005



PARAMONT COAL COMPANY
VIRGINIA, LLC

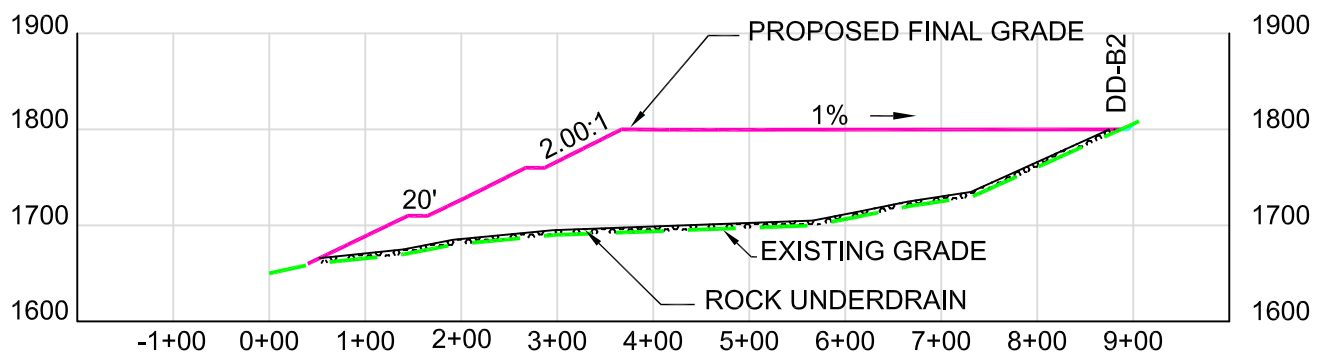
DURABLE ROCK FILL 2 CROSS-SECTION



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SCALE 1" = 100'
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MAP NO: 6
DICKENSON COUNTY
PLOT DATE: APRIL 7, 2005



PARAMONT COAL COMPANY
VIRGINIA, LLC

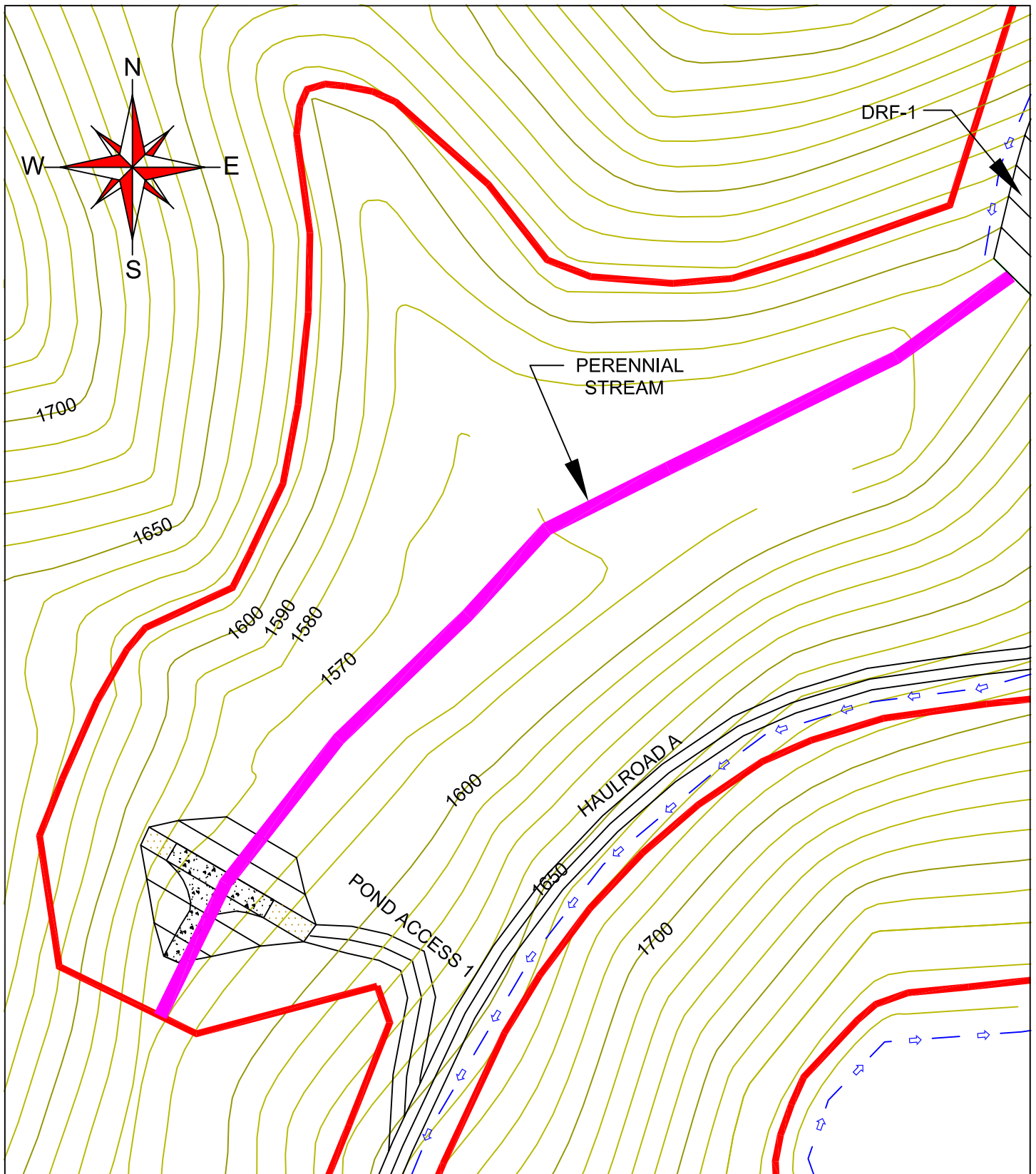
DURABLE ROCK FILL 2
PROFILE



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PROJ 04-100
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DICKENSON COUNTY
PLOT DATE: APRIL 7, 2005



PERMIT AREA

JURISDICTIONAL LIMITS
(PERENNIAL)

PARAMONT COAL COMPANY
VIRGINIA, LLC

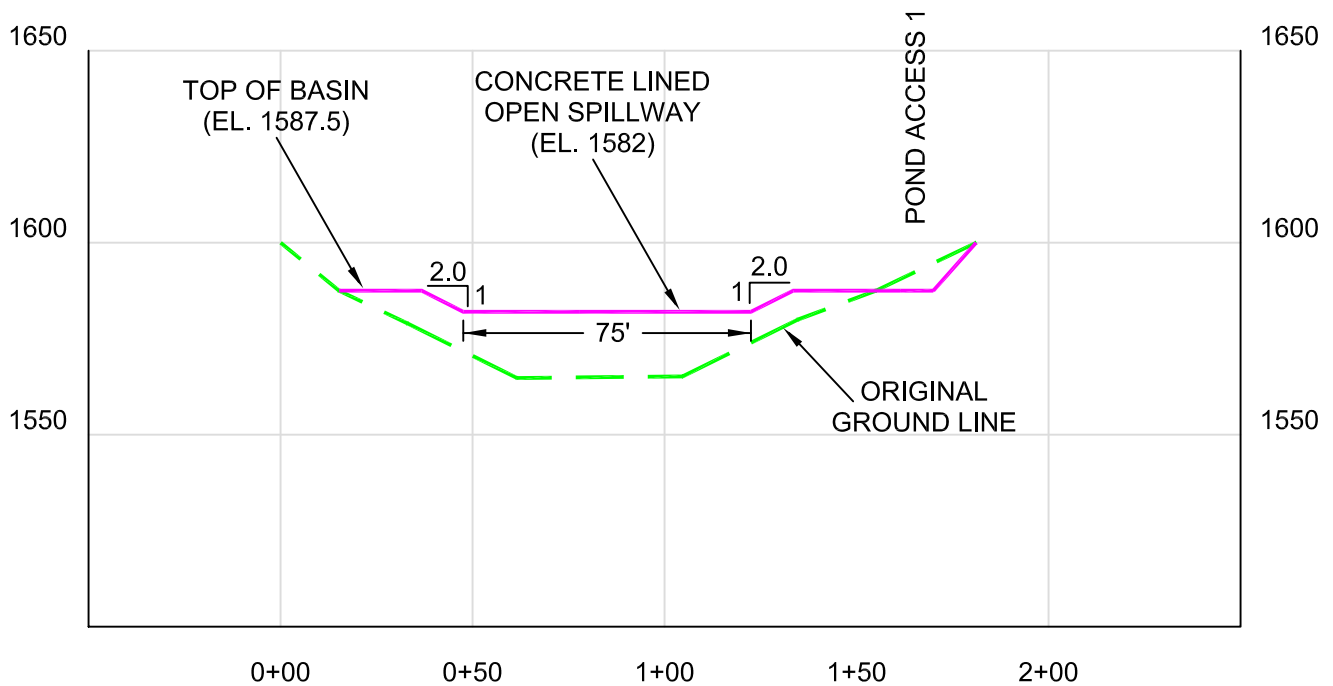
SEDIMENT BASIN 1
SITE PLAN



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SCALE 1" = 100'
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DICKENSON COUNTY
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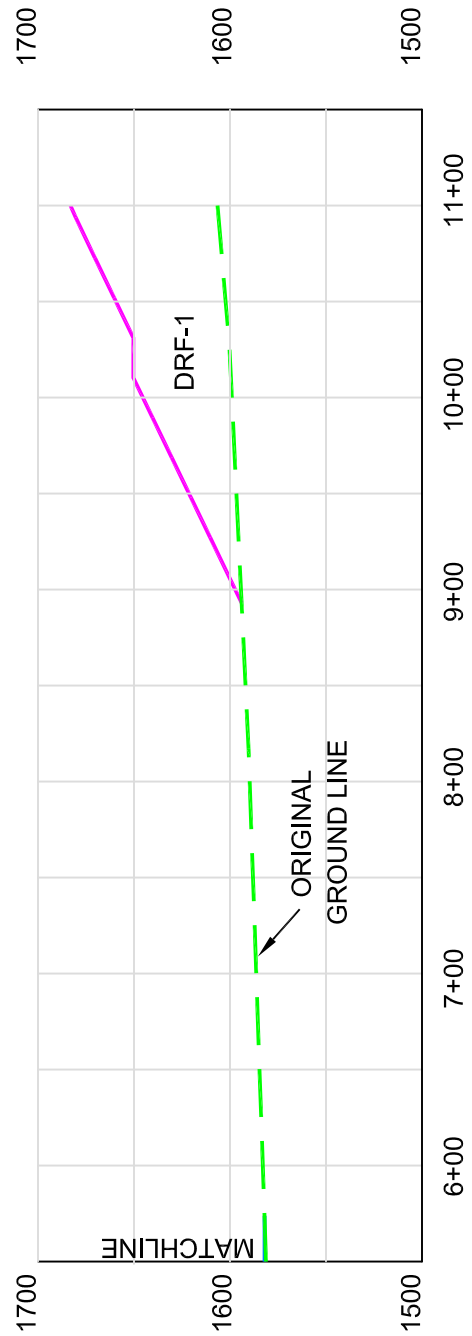
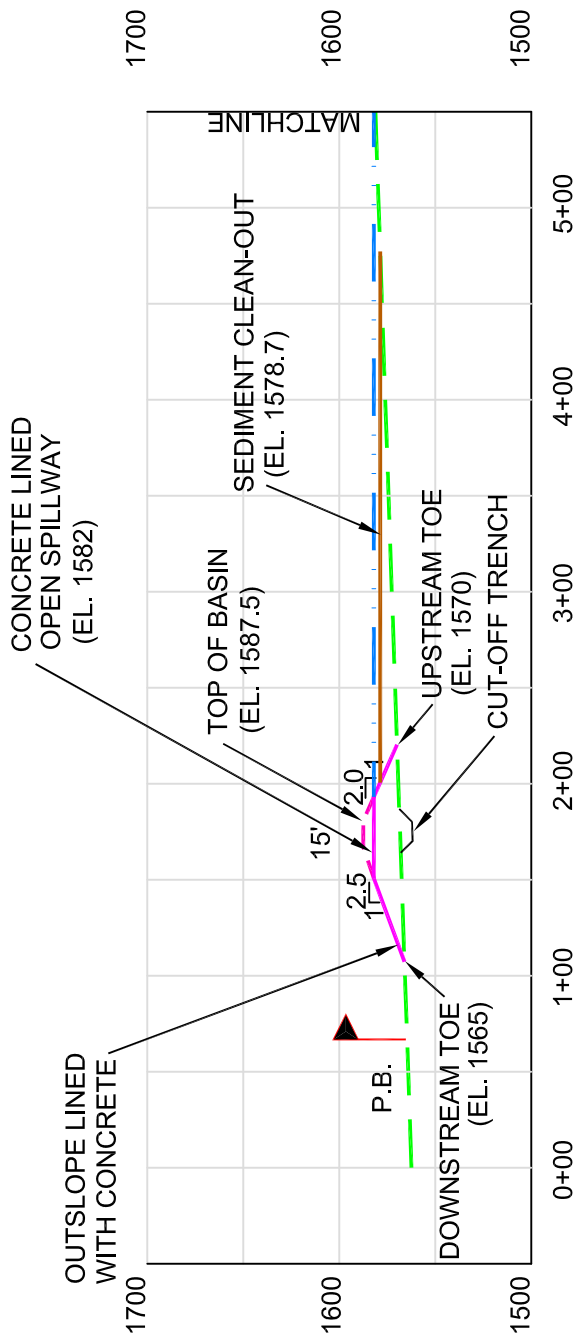
SEDIMENT BASIN 1 CROSS-SECTION



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SCALE 1" = 50'
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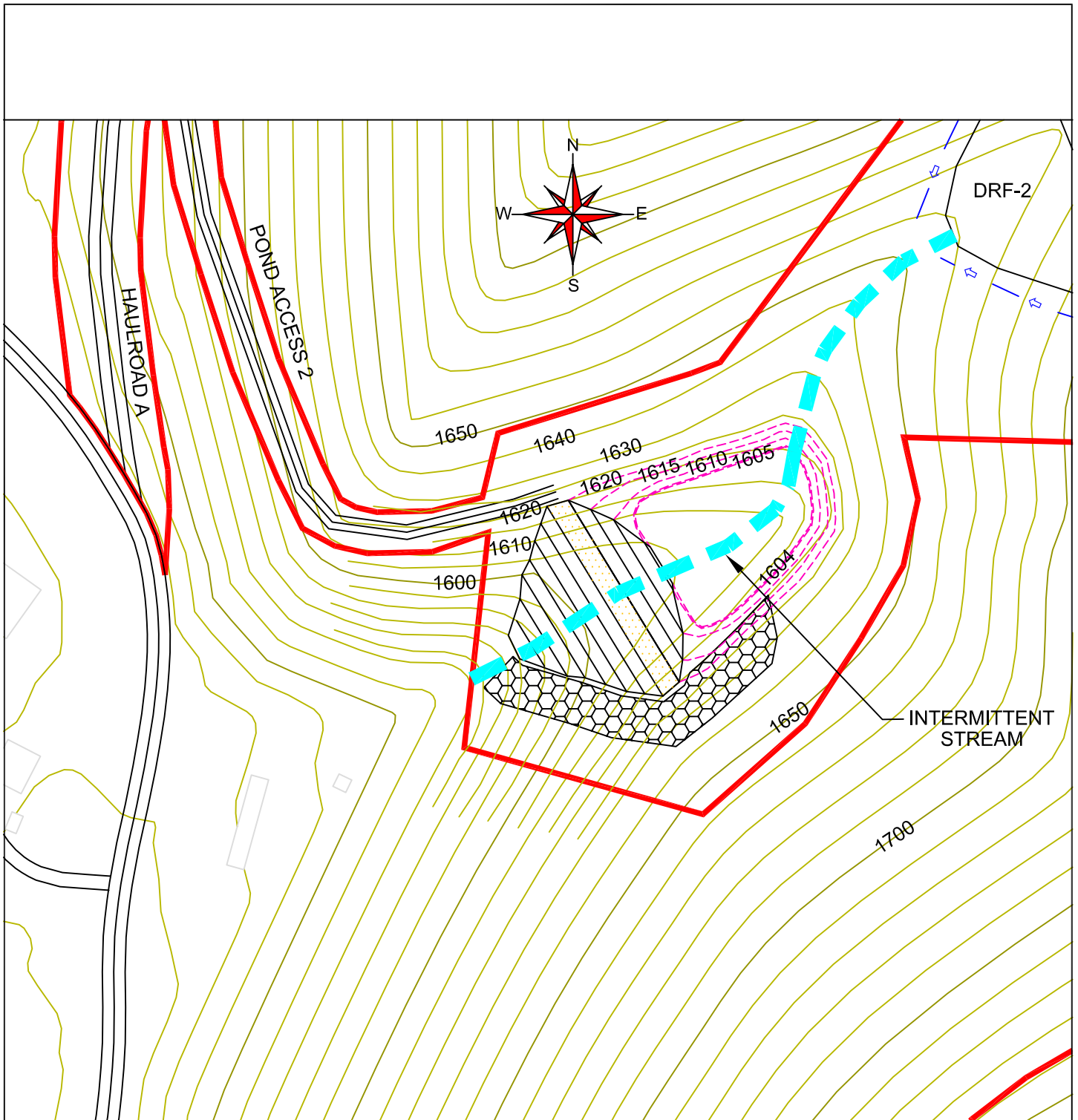
SEDIMENT BASIN 1 PROFILE



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DICKENSON COUNTY
PLOT DATE: APRIL 7, 2005



PERMIT AREA



JURISDICTIONAL LIMITS
(INTERMITTENT)



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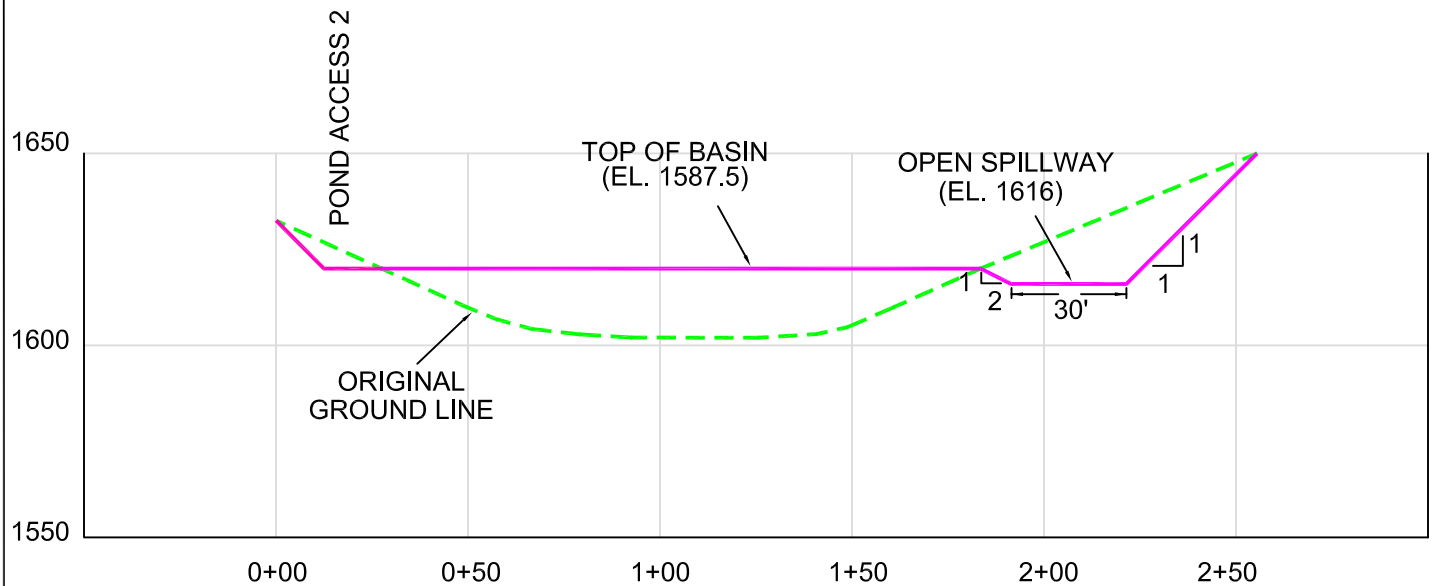
SEDIMENT BASIN 2
SITE PLAN



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SCALE 1" = 100'
PROJ 04-100
MAP NO: 10
DICKENSON COUNTY
PLOT DATE: APRIL 8, 2005



PARAMONT COAL COMPANY
VIRGINIA, LLC

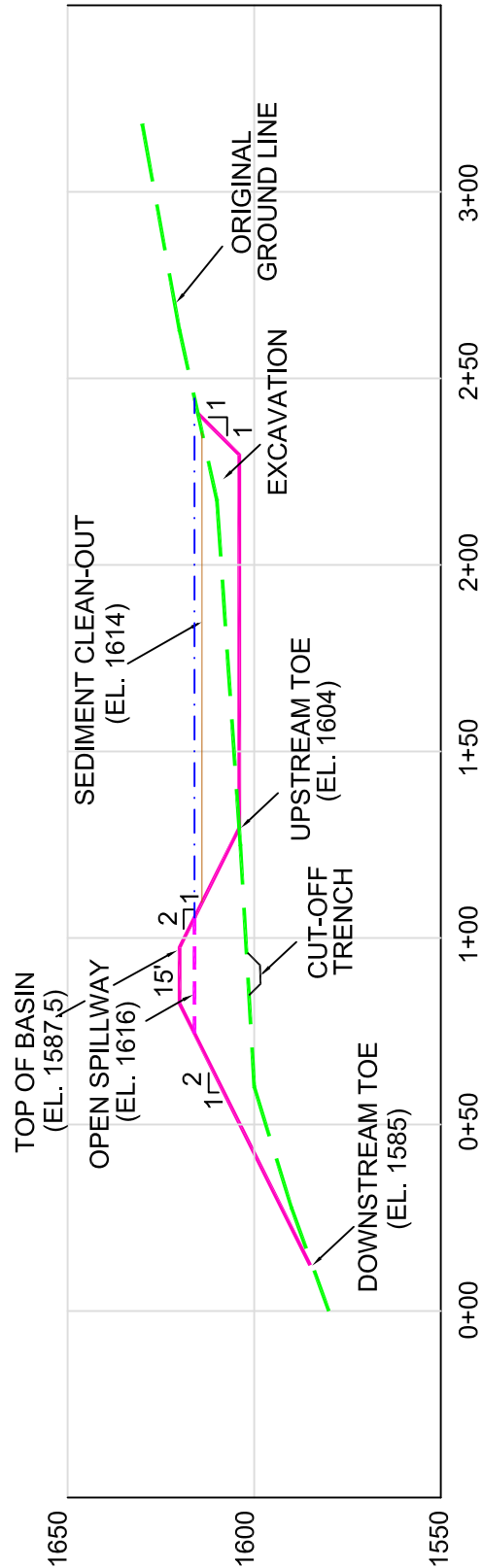
SEDIMENT BASIN 2 CROSS-SECTION



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SCALE 1" = 50'
PROJ 04-100
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DICKENSON COUNTY
PLOT DATE: APRIL 8, 2005



PARAMONT COAL COMPANY
VIRGINIA, LLC

SEDIMENT BASIN 2 PROFILE



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SCALE 1" = 50'
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